

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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LUIGI GAGLIANO,

CB 5989

Plaintiff,

Civil Action No.:
1:06-cv-00858 (BMC)

- against -

MICHAEL J. ASTRUE,
COMMISSIONER OF SOCIAL SECURITY,

Defendant.

ORDER

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The Court, having read the Petition of CHARLES E. BINDER, attorney for the Plaintiff in the above entitled case, dated the 13th day of March, 2008 for an award of attorney fees in accordance with 42 U.S.C. §406(b), and upon all the supporting documents annexed hereto, and no opposi-

IT IS ORDERED that attorney fees be granted in the amount of \$10,551.93, which represents 25% (\$13,580.25) of the past due benefits awarded to the Plaintiff, minus the previously awarded EAJA fees (\$3,028.32), to CHARLES E. BINDER, petitioner. Nothing in this order will preclude counsel from requesting fees under 406(a) for time spent handling Plaintiff's case before the Social Security Administration providing that the combined fees approved under both 406(a) and 406(b) does not exceed 25% of the total retroactive benefits awarded to the Plaintiff and his eligible family members. tion, having been filed,

DATED: Brooklyn, New York
April 12, 2008

ENTER

signed electronically/Brian M. Cogan
Honorable Brian M. Cogan
United States District Judge